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January 29, 2020

Via ECF

The Honorable Sarah Netburn
Thurgood Marshall United States Courthouse
40 Foley Square, Room 430
New York, NY 10007

Re: *In re Terrorist Attacks on September 11, 2001*, 03-md-1570 (GBD) (SN)

Dear Judge Netburn:

I write on behalf of Defendant Kingdom of Saudi Arabia (“Saudi Arabia”) concerning two sealed filings made by Saudi Arabia today. The first filing is a reply in support of Saudi Arabia’s letter request, filed under seal on January 22, 2020, that the Court resolve the parties’ disputes concerning appropriate searches under the Court’s sealed order dated January 3. The second filing is an opposition to the Rule 72(a) objections of the Plaintiffs’ Executive Committees (“Plaintiffs”), filed under seal on January 21, to the Court’s sealed order dated January 7.

As the Court is aware from previous letters, the parties have contested whether leave of Court is required for a response to Rule 72(a) objections, and it is Saudi Arabia’s position that no leave is required. *See* ECF No. 4753, at 1-2 & n.*. Because the Rule 72(a) response is being made without a request for extension of any deadline, we have not sought advance permission in this instance. To the extent necessary, Saudi Arabia respectfully requests that the Court accept today’s filing.

Both of Saudi Arabia’s filings contain information subject to the Privacy Act Order and Protective Order for FBI Documents, ECF No. 4255, and also contain information properly redacted under this Court’s Order dated July 22, 2019, ECF No. 4696, because public filing would reveal the contents of documents subject to one or both of the Vienna Conventions on Diplomatic and Consular Relations. Consistent with this Court’s guidance, ECF No. 5307, Saudi Arabia is filing signed original copies with the Clerk’s Office.

Copies of Saudi Arabia’s filing (clean and with highlighted proposed redactions) are being sent today by email to chambers and to counsel for Plaintiffs, the United States, and Dallah Avco. Copies are also being sent overnight to Judge Daniels.

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Respectfully submitted,

/s/ Michael K. Kellogg

Michael K. Kellogg
Counsel for the Kingdom of Saudi Arabia

cc: The Honorable George B. Daniels (via facsimile)
All MDL Counsel of Record (via ECF)